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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
ROGERS, MARTIN K	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Attachment

On page 5 of the remarks, Applicant argues that no teaching of isotactic polymers having the claimed melt flow index exists in Isao. The examiner respectfully disagrees. Isao explicitly discloses making polypropylene polymers with an MFI within the claimed range ([0006]) with the same catalyst required by Applicant ([Formula 2]). Therefore, because Isao meets all of the positively claimed method steps, it is the examiner's position that polypropylene produced by Isao would be expected to have the same properties as required by the claim. Furthermore, Isao provides explicit evidence that the polymers produced by the disclosed catalysts are isotactic polymers ([0096]). Because the isotacticity is governed by the catalyst, if a polymer with a MFI within the range required by Applicant were created (as disclosed by Isao) with the catalyst of Isao, it would be isotactic and have a MFI within Applicant's required range. Isao therefore encompasses all of the limitations being claimed by Applicant. If the polymer had the same MFI and tacticity being required by Applicant, it would be expected to have the same properties relative to a polymer produced by a Zeigler Natta catalyst. The examiner would like to point out that Applicant's requirement that the product have certain properties compared to a polymer created in a Zeigler Natta catalyst system is extremely broad because the reaction conditions of the Zeigler Natta catalyzed system are never disclosed. Polymers created by Zeigler Natta catalysts can be engineered to have an extremely broad range of properties, depending on the conditions within the

reactor. Applicant does not provide any data to support the argument that the polymers of Isao have different structures of properties than those being claimed.

Applicant asserts on page 6 of the remarks that the Office Action provides no evidence that a reduced melting temperature leads directly to reduced cycle times. As cited in the original office actions, Column 1, lines 46-50 of Fischer suggests to one of ordinary skill in the art that cycle times of process which involve the heating (and cooling) of polypropylene polymers can be reduced with reduced melting temperature. In any event, Applicant has not provided any data to support the position that the polymers of Isao have different properties than those being claimed.

Applicant argues on page 6 of the remarks that Demain discloses that the rigidity of a metallocene catalyzed polypropylene product is greater than a copolymer but less than a homopolymer. The examiner notes that Applicant is arguing unclaimed subject matter. The claim never requires that the rigidity of the polypropylene be based on a homopolymer from the Zeigler Natta catalyst system. In any event, Applicant has not provided any data to support the position that the polymers of Isao have different properties than those being claimed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARTIN ROGERS whose telephone number is 571-

270-7002. The examiner can normally be reached on Monday through Thursday, 7:30 to 5:00, and every other Friday, 7:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Martin Rogers/

/Richard Crispino/
Supervisory Patent Examiner, Art Unit 1791